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KATTEN MUCHIN ROSENMAN LLP
(C/O PATENT ADMINISTRATOR)
2900 K STREET NW, SUITE 200
WASHINGTON, DC 20007-5118

In re Application of
James E. VAN BUSKIRK
Application No. 10/575,278
Filed: April 10, 2006
Attorney Docket No. **32792-CIP-01**

MAILED

JAN 05 2011

OFFICE OF PETITIONS

DECISION ON PETITION TO
WITHDRAW FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 28, 2009.

The request is **NOT APPROVED**.

The request to withdraw as attorney/agent of record and change of correspondence address is hereby not accepted. Petitioner has not complied with current USPTO requirements, set forth in 37 CFR 10.40 concerning Request for Withdrawal as Attorney and Change of Correspondence Address. Specifically, pursuant to 37 CFR 10.40, the Office will require the practitioner(s) to certify that he, she or they have:

- (1) given reasonable notice to the client, prior to the expiration of the reply period, that the practitioner(s) intends to withdraw from employment;**
- (2) delivered to the client or duly authorized representative of the client all papers and property (including funds) to which the client is entitled; and**
- (3) notified the client of any replies that may be due and the time frame within which the client must respond.**

Petitioner has not complied with items (1) and (3) of the above certifications.

Further, the Office will only accept correspondence address changes to the most current address information provided for the assignee of the entire interest who properly became of record under 37 CFR 3.71, or if no assignee of the entire interest has properly been made of record, the most current address information provided for the first named inventor. 37 CFR 3.71 (c) states:

An assignee becomes of record either in a national patent application or a reexamination proceeding by filing a statement in compliance with § 3.73 (b) that is signed by a party who is authorized to act on behalf of the assignee."

The Office will also no longer change the correspondence address to that of a new practitioner unless the Request is accompanied by a power of attorney to a new practitioner (e.g., Form PTO/SB/82). All future communications from the Office will be directed to the above-listed address until otherwise properly notified by the applicant or a proper change of correspondence address has been submitted.

Telephone inquiries concerning this decision should be directed to the undersigned at 571-272-7253.

Inquiries concerning either the examination or status of the application should be directed to the Technology Center at 571-272-1700.

/Monica A. Graves/
Petitions Examiner, Office of Petitions

CC: **GARRITAN CORPORATION
257 LAPORTE, BOX 400
ORCAS, WA 98280**